

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
**REPORT NUMBER 392 OF
THE EXECUTIVE COMMITTEE**

Thursday, December 1, 2005

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Thursday, December 1, 2005 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Ms Rose M. Patten (In the Chair)
Mr. John F. (Jack) Petch, Vice-Chair
Professor C. David Naylor,
President

Ms Holly Andrews-Taylor
The Honourable William G. Davis

Ms Susan Eng

Dr. Shari Graham Fell

Mr. Ran Goel

Professor Michael R. Marrus

Mr. Timothy Reid

Professor Arthur S. Ripstein

Professor Barbara Sherwood Lollar

Non-Voting Member:

Mr. Louis R. Charpentier

Secretariat:

Mr. Henry Mulhall, Secretary

Mr. Andrew Drummond

Regrets:

Mr. P.C. Choo

Mr. Robert S. Weiss

Ms Jacqueline Orange, Chair, Business Board and member of the Governing Council

Ms Catherine Riggall, Vice-President, Business Affairs

In Attendance:

Dr. Robert Bennett, Chair, University Affairs Board and member of the Governing Council

Professor Raymond Cummins, Chair, Academic Board and member of the Governing Council

Professor Vivek Goel, Vice-President and Provost and member of the Governing Council

Dr. Chris Cunningham, Special Advisor to the President

On motion duly moved and seconded,

IT WAS RESOLVED

THAT, pursuant to sections 28 (e) and 33 of *By-Law Number 2*, consideration of items 1, 2, 3 and 4 take place *in camera*, with the Board Chairs, Vice-Presidents and Special Advisor to the President admitted to facilitate the work of the Committee.

1. Senior Appointments

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council for consideration the recommendations for three senior appointments.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

That, pursuant to Section 38 of By-Law Number 2, the recommendations be considered by the Governing Council *in camera*.

2. Report Number 48 of the Committee for Honorary Degrees

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendations contained in Report Number 48 of the Committee for Honorary Degrees.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT pursuant to Section 38 and 40 of By-Law Number 2, the recommendations be considered by the Governing Council *in camera*.

3. External Appointments

(a) University of Toronto Asset Management Corporation (UTAM)

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Ms Florence Minz be approved and nominated as a member and director of the University of Toronto Asset Management Corporation with a term continuing until the 2006 annual meeting of the corporation and until her successor is appointed.

(b) University of Toronto Schools (UTS)

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

3. External Appointments (cont'd)**(b) University of Toronto Schools (UTS) (cont'd)**

THAT the following individuals be approved and nominated as members of the Board of the University of Toronto Schools for the terms listed below, or until their successors are appointed:

Ms Gen Lin Chang	January 1, 2006 – December 31, 2008
Mr. John Jakolev	January 1, 2006 – December 31, 2007

(c) OISE / UT Advisory Board

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the following individuals be appointed to the OISE/UT Advisory Board for terms from July 1, 2005 to June 30, 2006, or until their replacements are appointed:

Mr. Rod Albert
Ms Sarah Barrett
Ms Inez Elliston
Mr. Gene Lewis
Mr. Greg Pollock

(d) University of Toronto Innovations Foundation (UTIF)

The President provided an update on the restructuring of the University of Toronto Innovations Foundation.

(e) McLaughlin Centre Oversight Committee

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Professor Alan Hudson be appointed to the McLaughlin Centre Oversight Committee for a two-year term, effective immediately until October 24, 2007 or until his successor is appointed.

(f) Hart House Board of Stewards and Finance Committee

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Ms Elizabeth Vosburgh be appointed to the Hart House Board of Stewards effective immediately and continuing until June 30, 2006, or until her successor is appointed.

THAT Mr. Paul Lindblad be appointed to the Hart House Finance Committee effective immediately and continuing until June 30, 2006, or until his successor is appointed.

4. Board Assignment, 2005-2006

IT WAS RESOLVED

THAT the Executive Committee assign Mr. Geoffrey Matus to the Business Board, effective immediately, until June 30, 2006.

The Committee returned to closed session.

5. Report of the Previous Meeting

Report 391 of the Executive Committee meeting held on October 14, 2005 was approved.

6. Business Arising from the Report of the Previous Meeting

There was no business arising from the report of the previous meeting.

7. Minutes of the Governing Council Meeting

Members received for information the minutes of the Governing Council meeting held on October 27, 2005.

8. Business Arising from the Governing Council Meeting

There were no items of business arising from the previous meeting.

9. Report of the President

The President stated that he wished to report on three issues.

(a) External Relations

The membership of the President's Advisory Committee on External Relations (PACER) had been established and had begun its work.¹ The Committee was considering the *Report of the Committee Reviewing the Office of the Vice-President and Chief Advancement Officer*, which had been received by the President on June 23, 2005, and was determining the scope and timing of the Vice-Presidential search that would eventually be carried out for the Division of University Advancement. This required clarity with respect to the mandate of the portfolio, and various organizational models were being considered. With Rivi Frankle serving as Interim Vice President, the Division of University Advancement continued to make an outstanding contribution to the University. This current period of leadership transition during the 'quiet phase' leading up to the next fundraising campaign provided an opportune time to think through the big issues related to this Division, including the University's ongoing challenge of

¹ The membership of the Committee was: Professor David Naylor, President (Chair); Professor John Challis, Vice-President, Research and Associate Provost; Professor Brian Corman, Vice-Chair, Academic Board and Chair, Department of English, Faculty of Arts and Science; Professor Jane Gaskell, Dean, OISE / UT; Mr. Ran Goel, Governor, Undergraduate Student, Faculty of Law; Ms Katherine Hilton, Assistant Dean, Alumni and Development, Faculty of Law; Ms Kim McLean, Assistant Principal (Business and Administration) and Chief Administrative Officer, University of Toronto at Scarborough; Ms Jacqueline Orange, Governor and Chair, Business Board, Alumna; Professor Ian Orchard, Vice-President and Principal, University of Toronto at Mississauga; Ms Marvi Ricker, Governor, Alumna; Ms Estefania Toledo, Vice-President, University Affairs, Students' Administrative Council; Mr. Louis Charpentier (Secretary). As Chair of the Governing Council, Ms Rose M. Patten would participate *ex officio* in meetings at her discretion.

9. Report of the President (cont'd)

carrying out effective internal and external communications functions. A member commented that it would be essential that the President be very comfortable with whatever organizational structure was decided upon for the Division of University Advancement.

(b) Assessment of Executive Functionality

The President commented that he had been very pleased with the way in which the presidential transition had been carried out, and that the President's Office was functioning well and interacting effectively with other offices in the senior administration. However, he commented that new positions would likely be needed at the Assistant Vice-President and Executive Director levels in such areas as international relations and strategic communications. The costs of adding any new positions to the administrative structure would be carefully monitored so that the teaching and research functions of the University would not be adversely affected. At the same time, however, there would be significant long-term costs to the University as a whole if existing gaps in the administrative structure were not filled effectively.

Municipal relations would become increasingly important as the University became more involved in experiential learning. It would be particularly important to continue to strengthen the University of Toronto at Scarborough's (UTSC) relationship with the City of Toronto, a relationship brought about by the amalgamation of the City of Scarborough with the City of Toronto in 1998. The President added that the very rapid expansion that had occurred at UTSC in the last five years had required an examination of the administrative structure on that campus. In that context, during the summer, Acting-President Goel had asked President *Emeritus* George Connell to review informally the evolving administrative organization at UTSC. The President and Provost, in consultation with Vice-President and Principal Shun, were considering Dr. Connell's thoughtful and valuable advice.

(c) Government Relations

Academy in the Faculty of Medicine

The President reported that, due to effective advocacy in recent months, he was hopeful that an announcement would be made in the near future of the establishment of a fourth Academy in the Faculty of Medicine to be located at the University of Toronto at Mississauga (UTM). Such a development would be a very positive development for the University and for the community, and its establishment and impact would need to be communicated effectively.

Reaching Higher – Quality Funds

The major issue of discussion with the Government of Ontario in recent months had been that of how it would make use of the 'quality funds' and graduate enrolment monies promised in the *Reaching Higher Plan*, and whether there would be differential investments in the province's very different universities. Current signals were that funding would be flowing to the University more or less on the basis of its enrolment share, or slightly below it, rather than on a differentiated basis, and the President was working hard to make the case for the University's unique status in the system. It was understood that there would be some funding to offset the tuition freeze that had been in place since 2004, but the Government's tuition policy was not yet determined.

OTSS

The Ontario Trust for Student Support (OTSS), the successor program to the Ontario Student Opportunity Trust Fund (OSOTF), presented a challenge to the University in a number of ways. The new program attempted to 'level the playing field' among the province's universities by allocating extra funds on the basis of lower institutional endowments, to the

9. Report of the President (cont'd)

disadvantage of the University of Toronto. The University had been able to make use of many matching commitments under the OSOTF program during its recent fundraising campaign, but this program had been discontinued, and now the first tranche of OTSS funds would be completely consumed simply to cover the unmatched commitments from OSOTF.

F.I.P.P.A.

The University was likely to incur some costs in the coming months in establishing the infrastructure to comply with *The Freedom of Information and Protection of Privacy Act* (FIPPA), in particular in ensuring that it was adequately responsive to requests for information in a timely manner.

Accountability

The Accountability Framework tied to the funding promised in the Provincial Government's *Reaching Higher Plan* had also created challenges for the University. It would require more detailed analyses of outputs in relation to new monies from Government. Fortunately, the University's existing annual Performance Indicators Report would provide some basis upon which to fulfill this requirement. However, it would be difficult to project the impact of funds which had not yet been received when there was uncertainty about other costs and revenues. For example, there remained considerable uncertainty around the issues of when graduate enrolment funds from *Reaching Higher* would begin to flow to the universities, and whether the provincial tuition freeze would be lifted.

The President indicated that the manner in which the *Reaching Higher Plan* was being implemented would mean that the University would receive its 'pro rata' share of the available funding without taking into account its particular circumstances. The President would be making the case for differentiation on a continuing basis.

A member commented that the Provincial Government's manner of implementing the *Reaching Higher Plan* was predictable based on past experience. The longstanding and difficult challenge for the University had been, and would continue to be, to convince the Government that it was different from other Ontario universities, and should be treated differently in terms of funding.

A member asked if it was possible to estimate the financial impact of these funding challenges on the University. The President responded that the impact would be felt on a number of levels. The lack of 'fair share' funds would likely amount to several million dollars in base. This could be higher depending upon how the Government funded universities for 'unfunded BIUs' (Basic Income Units), with the result that the University could be penalized for having effectively managed its enrolment growth within the required corridors in recent years. The President added that the fact that the University was a tri-campus institution was a disadvantage in competing for OTSS funding. Under the program, the three campuses would be viewed as one. It would not consider the distinctive needs of each campus, with the result that the University would qualify for the usual rather than enhanced matched funds. In contrast, both the east and west campuses on their own would qualify for enhanced matching. Similarly, if the Province undertook 'capacity-building' for universities with low graduate-to-undergraduate ratios, the University of Toronto would not qualify, despite having substantial capacity for graduate expansion at UTSC and UTM.

A member commented that the 'scale' of the University was a factor impacting many of these issues, sometimes to the advantage, and sometimes to the disadvantage of the University. It required a flexible approach in managing, for instance, relations with governments at the local and provincial levels. The President agreed, and cited UTM's excellent relationship with the

9. Report of the President (cont'd)

City of Mississauga as a best practice approach to be replicated by the rest of the University. He added that the University's new budget model, as well as the creation of new administrative portfolios at the Assistant Vice-President level, would contribute to improved functionality across the three campuses in areas such as municipal relations.

A member asked if the UTSC campus continued to attract students from a lower income demographic, and in that sense acted as an access point to the University for the disadvantaged. The Provost responded that both UTSC and UTM served populations that were less advantaged in that family incomes were lower, and there was a higher proportion of first generation Canadians on both campuses.

(d) In Camera Briefing

The Committee moved *in camera* pursuant to Section 28 (e) and (f) of the Governing Council By-Law Number 2.

The Provost briefed members on the status of the University's negotiations with one of its ancillary units, and with one of its employee groups.

The Committee returned to closed session.

10. Items for Endorsement and Forwarding to Governing Council***(a) Arising from Report Number 138 of the Academic Board (November 24, 2005)******Item 5 – Academic Appeals Committee******a. Policy on Academic Appeals within Divisions***

Professor Cummins reported that members of the Academic Board had been advised that the *Policy* had been thoroughly discussed at the Committee on Academic Policy and Programs. A member had requested clarification on four points: the difference between a petition and an appeal; examples of the need for accommodation for reasons of equity and diversity; the use of informal resolution in appeals, and a clear definition of who was allowed access to student records in the appeals process. The Provost's response had been included in the draft excerpt of Report 138.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

b. Policy on Academic Appeals within Divisions

THAT the *Policy on Academic Appeals within Divisions* be approved, a copy of which is attached to Report Number 138 of the Academic Board as Appendix 'A', effective September 1, 2006; and

THAT the *Guidelines for Academic Appeals within Divisions* be rescinded, effective September 1, 2006.

10. Items for Endorsement and Forwarding to Governing Council (cont'd)***(a) Arising from Report Number 138 of the Academic Board (November 24, 2005)***
(cont'd)*Item 5 – Academic Appeals Committee (cont'd)***c. Academic Appeals Committee: Terms of Reference**

Professor Cummins reported that members of the Academic Board had been informed that the change in the terms of reference to allow at least five chairs would expedite the number of appeals heard and would provide better service to students. No questions had been raised.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

THAT the revised Terms of Reference of the Academic Appeals Committee, a copy of which is attached to Report Number 138 of the Academic Board as Appendix 'B', be approved.

(b) Arising from Report Number 131 of the University Affairs Board (November 15, 2005)*Item 3 – Elections Committee: Change to Terms of Reference*

Dr. Bennett reported that the University Affairs Board had briefly considered a minor change to the terms of reference of the Elections Committee. It would enable the Committee to consult broadly without holding its currently required annual open forum, at which diminishing numbers of intervenors had presented annually. The University Affairs Board had offered no comment on this item.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

THAT the proposed revised Terms of Reference for the Elections Committee, a copy of which is attached to Report Number 131 of the University Affairs Board as Appendix "A", be approved.

Item 4 – Election Guidelines 2006

Dr. Bennett reported that this annual approval had come forward for Governing Council approval rather than stopping at the University Affairs Board because of the major nature of the changes which had been proposed. First, the category of Sessional Lecturer had been added to teaching staff elections – this change had followed upon the decision of the Governing Council at the June 29, 2005 meeting to designate sessionals as teaching staff under the Act. Secondly, the entire system of demerit points had been substantially revised to give much greater flexibility to the Chief Returning Officer and the Elections Committee in determining how to address violations of the rules of 'fair play'. The University Affairs Board had approved the *Election Guidelines* unanimously.

10. Items for Endorsement and Forwarding to Governing Council (cont'd)

(b) Arising from Report Number 131 of the University Affairs Board (November 15, 2005) (cont'd)

Item 4 – Election Guidelines 2006 (cont'd)

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

THAT the proposed *Election Guidelines 2006*, a copy of which is attached to Report Number 131 of the University Affairs Board as Appendix “B”, be approved.

11. Items for Confirmation by the Executive Committee

(Arising from Report Number 138 of the Academic Board (November 24, 2005))

Item 6 – Woodsworth College: Certificate Name Change

Professor Cummins reported that members of the Academic Board had been informed that this was a routine name change to update a title. There had been no discussion.

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED THE DECISION OF THE ACADEMIC BOARD

THAT the name of the Certificate in Teaching English as a Second Language (TESL) be changed to Certificate in Teaching English to Speakers of Other Languages (TESOL) effective September 1, 2006.

Documentation is attached to Report Number 138 of the Academic Board as Appendix ‘C’.

Item 7 – Constitution: University of Toronto at Scarborough

Professor Cummins reported that members of the Academic Board had been advised that the University of Toronto at Scarborough (UTSC) constitution had been updated to reflect the current UTSC administrative and departmental structure, and that the By-laws had been separated from the Constitution.

A question had been raised concerning the revised definition of graduate student and how graduate students would be identified by the School of Graduate Studies as having been at UTSC. It had been noted that information about the payment of ancillary fees at each campus was included in the Repository of Student Information (ROSI) and could be used for identification purposes.

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED THE DECISION OF THE ACADEMIC BOARD

THAT the revised Constitution of the University of Toronto at Scarborough be approved.

Documentation is attached to Report Number 138 of the Academic Board as Appendix ‘D’.

12. Report of the Ombudsperson and Administrative Response

The Chair reminded members that the Report of the Ombudsperson and the Administrative Response were presented annually to the Governing Council for information and for comment. Ms Mary Ward, the Ombudsperson, would be invited to attend the Governing Council meeting to give a brief presentation summarizing the Report's key points and to respond to questions.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the Report of the Ombudsperson and Administrative Response be placed on the agenda of the Governing Council meeting on December 12, 2005.

13. Performance Indicators

The Chair stated that the Performance Indicators Report was a major element of the University's institutional accountability exercises, and brought together a series of metrics of institutional achievement across a wide variety of indicators. The Provost indicated that a major change had been made in the format of this year's Report, from a data-driven model to a mission-driven model. That is, the Report had been organized around the University's major objectives related to the *Stepping Up* Plan, in order to provide governors with clearer measures of progress related to priorities. The format allowed an assessment of how the University was performing in advancing the *Stepping Up* objectives, and of where further data was required for reports in future years.

A member noted that a broader introduction or executive summary would be helpful in guiding readers through the large amount of data the Report contained. The Provost responded that the Report would be presented at the Governing Council meeting by means of a PowerPoint presentation that would summarize its main points and themes.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the *Performance Indicators for Governance Annual Report for 2005* be placed on the agenda of the Governing Council meeting on December 12, 2005.

14. Graduate Enrolment Planning 2005-15: Discussion Paper

Professor Cummins reported that the highlights of this discussion paper had been provided to members of the Academic Board by the Provost in a PowerPoint presentation at its November 25, 2005 meeting. Discussion at the Board meeting had built upon that at the meeting of the Planning and Budget Committee on November 1, 2005, and it had been noted that the Paper had been revised by the Provost's office in response to these earlier discussions. Questions had been raised at the Academic Board meeting concerning the following issues: the resources that would be available at the departmental level for graduate student expansion; the need to seek graduate students from all over the world, not just from within the University and the province; the determination of the appropriate balance of graduate and undergraduate enrolment for the University; and the review of graduate administration across the three campuses.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

14. Graduate Enrolment Planning 2005-15: Discussion Paper (cont'd)

THAT the *Graduate Enrolment Planning 2005-15: Discussion Paper* be placed on the agenda of the Governing Council meeting on December 12, 2005.

15. Reviews of Academic Units and Programs – Annual Report

Professor Cummins reported that members of the Academic Board had been advised that the Agenda Committee had endorsed the revised process used by the Committee on Academic Policy and Programs in June to consider the Reviews of Academic Units and Programs. There had been no matters that required the attention of the Academic Board.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the Reviews of Academic Units and Programs – Annual Report be placed on the agenda of the Governing Council meeting on December 12, 2005.

16. Reports for Information

Members received several reports for information.

- (a) Report Number 137 of the Academic Board (October 6, 2005)
- (b) Report Number 144 of the Business Board (October 11, 2005)
- (c) Report Number 131 of the University Affairs Board (November 15, 2005)
- (d) Draft Excerpt of Report Number 138 of the Academic Board (November 24, 2005)

17. Date of the Next Meeting

Members were reminded that the next regular meeting of the Executive Committee was scheduled for Thursday, January 26, 2006 at 5:00 p.m.

18. Other Business

There was no other business.

The meeting adjourned at 6:45 p.m.

Secretary

Chair

December 20, 2005